



*A Brand like a friend*

RECEIVED  
CENTRAL FAX CENTER  
JUN 10 2005

To: Mail Stop Appeal Brief - Patents  
Commissioner for Patents

Cc:

Fax (703) 872-9306  
From Stephen D. Harper

Dept:

Pages 4 (including cover page)  
Date June 10, 2005

Phone (610) 278-4927  
Fax (610) 278-6548  
E-mail

THE INFORMATION CONTAINED IN THIS FAX MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Docket No.: H 4494 PCT/US  
RE: Kleen et al.  
Application No.: 10/088,432  
Examiner: Eisa B. Elhilo  
Grp /Art Unit: 1751  
Confirmation No.: 1770

---

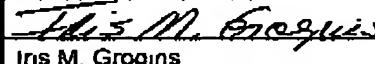
- Transmittal Form (1 page)
- Supplement to Appellants' Brief (2 pages)

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
 Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after mailing)</i>		Application Number	10/088,432
		Filing Date	May 31, 2002
		First Named Inventor	Astrid KLEEN
		Art Unit	1751
		Examiner Name	Eisa B. Elhilo
Total Number of Pages in This Submission	4	Attorney Docket Number	H 4494 PCT/US

<b>ENCLOSURES (Check all that apply)</b>			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <b>Facsimile Cover Sheet</b>	
		<b>Remarks</b>	

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>			
Firm name	Henkel Corporation		
Signature			
Printed name	Stephen D. Harper		
Date	6/10/05	Reg. No.	33,243

<b>CERTIFICATE OF TRANSMISSION/MAILING</b>			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Appeal Brief – Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Iris M. Grogins	Date	6/10/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Kleen, et al.

Application No.: 10/088,432

Filing Date: May 31, 2002

For: METHOD FOR RESTRUCTURING KERATIN FIBERS

Confirmation No.: 1770

Group Art Unit: 1751

Examiner: Elsa B. Elhilo

RECEIVED  
CENTRAL FAX CENTER  
JUN 10 2005**CERTIFICATE OF FACSIMILE TRANSMITTAL**  
I hereby certify that this correspondence is being facsimile transmitted  
to the U.S. Patent and Trademark Office at 703-872-93066/10/05  
DateIris M. Gingins  
Signature of CertifierIris M. Gingins  
Typed or printed name of certifierMail Stop Appeal-Brief Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SUPPLEMENT TO APPELLANTS' BRIEF PURSUANT TO 37 C.F.R. § 41.37**

This submission supplements the Appeal Brief filed April 28, 2005, in support of Appellants' appeal from the rejections of claims 13-27 in the Final Office Action dated November 3, 2004. Appellants filed a Notice of Appeal on February 28, 2005. Appellants hereby request that Section 2 ("Related Appeals and Interferences") of the Appeal Brief be deleted and that new Section 2 shown below be substituted therefore. At the time the Appeal Brief was originally submitted, the undersigned was not aware of the possible significance of the co-pending application referred to in new Section 2

**2. RELATED APPEALS AND INTERFERENCES**

Appellants wish to make the Board aware of co-pending application Ser. No. 10/088,247, filed March 15, 2002. This co-pending application is currently on appeal

10-Jun-05 12:27

From:HENKEL CORPORATION PATENT DEPT.

6102786548

T-775 P.04/04 F-804

Application No.: 10/088,432  
Docket No. H 4494 PCT/US

and is assigned to the same assignee (Henkel Kommanditgesellschaft auf Aktien) as the above-referenced application Ser. No. 10/088,432. While the co-pending application does not claim common priority with the above-referenced application, the subject matter of the two applications may be considered to be related in certain ways. The co-pending application thus may have a bearing on the Board's decision in the pending appeal of the above-referenced application.

Should any fees be due for entry and consideration of this Supplement that have not been accounted for, the Commissioner is authorized to charge them to Deposit Account No. 01-1250

Date: 6/10/05

  
\_\_\_\_\_  
Stephen D. Harper  
Registration No. 33,243

Henkel Corporation  
2200 Renaissance Boulevard, Suite 200  
Gulph Mills, PA 19406  
Telephone: (610) 278-4927  
Facsimile: (610) 278-6548